IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL APPEAL No. 584 of 2000

For Approval and Signature:

HONOURABLE MR.JUSTICE R.P.DHOLAKIA

HONOURABLE MR.JUSTICE KS JHAVERI

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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KAGADA BHANGADA RATHWA - Appellant(s)
Versus
STATE OF GUJARAT - Opponent(s)

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Appearance :
UNSERVED-EXPIRED (N) for Appellant(s) : 1,
MR HL JANI APP for Opponent(s) : 1,

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CORAM : HONOURABLE MR.JUSTICE R.P.DHOLAKIA

and

HONOURABLE MR.JUSTICE KS JHAVERI

Date : 19/09/2007

ORAL JUDGMENT

(Per : HONOURABLE MR.JUSTICE R.P.DHOLAKIA)

In pursuance of issuance of notice by this Court, We have received the report of the Principal District & Sessions Judge, Vadodara along with the report prepared by the Senior Police Sub-Inspector, Chhota Udepur dated 23.08.2007, writ issued by the registry of this Court and the death certificate dated 10.08.2007 issued by the Talati-cum-Mantri, Virpur Group Gram Panchayat, Taluka : Chhota Udepur, which are ordered to be taken on record.

We have gone through the same and found that the appellant-accused viz., Kagada Bhangada Rathwa had expired on 10.09.2005 and his death has been registered with the Office of Birth & Death Registration on 12.09.2005.

In view of the above, we hold that the present appellant-accused viz., Kagada Bhangada Rathwa, who has filed the present appeal and who was the only accused in Sessions Case No.59/1999 has expired. Hence, the present appeal is abated against the present appellant-accused viz., Kagada Bhangada Rathwa.

(R.P.DHOLAKIA, J.) (K.S.JHAVERI, J.)

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